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CENTRAL FAX CENTER****SEP 08 2004****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Attorney Docket No.: DEX-0087
Inventors: Recipon et al.
Serial No.: 09/705,500
Filing Date: November 3, 2000
Examiner: Canella, Karen A.
Customer No.: 32800
Group Art Unit: 1642
Confirmation No.: 6616
Title: A Novel Method of Diagnosing,
Monitoring, Staging, Imaging and
Treating Cancers

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On September 8, 2004


Kathleen A. Tyrrell, Registration No. 38,350

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Commissioner for Patents
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Dear Sir:

Reply to Advisory Action

This reply is responsive to the Advisory Action dated March
16, 2004.

A Request for Continued Examination and the requisite fee and
a Petition for a three (3) month extension of time and the
requisite fee are provided herewith.

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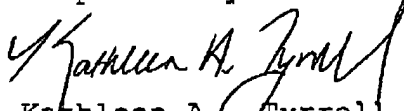
Attorney Docket No.: DEX-0087
Inventors: Recipon et al.
Serial No.: 09/705,500
Filing Date: November 3, 2000
Page 2

Also provided herewith is a new Rule 131 Declaration signed by all inventors of the above-referenced patent application which sets forth in clearly in paragraph 3 that use of Lng108, also known as fy108, as a cancer diagnostic was conceived and reduced to practice in Santa Clara, California, USA prior to October 27, 1999.

Submission of this Rule 131 Declaration overcomes the outstanding rejections under 35 U.S.C. § 102 and 35 U.S.C. § 103 over Olesen et al.

Applicants believe that the foregoing comprises a full and complete response to the Advisory Action of record. Accordingly, favorable reconsideration and subsequent allowance of the pending claims is earnestly solicited.

Respectfully submitted,


Kathleen A. Tyrrell
Registration No. 38,350

Date: September 8, 2004

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September 8, 2004

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CENTRAL FAX CENTER**

SEP 08 2004

TO: Examiner Canella (TC1600)

GROUP: 1642

FAX NUMBER: 703-872-9307

ATTORNEY DOCKET NO.: DEX-0087

SERIAL NO.: 09/705,500

FILED: November 3, 2000

NUMBER OF PAGES: 20

MESSAGE: Attached please find General Transmittal Letter, Reply to Advisory Action, Request for Continued Examination (RCE) Transmittal Letter (in duplicate); Petition for Extension of Time (3 months), and Declaration under Rule 1.131; USPTO Credit Card Payment Form authorizing payment in the amount of \$1,720.00 for the filing fees; and Certificate of Transmission by Facsimile.

Kathleen A. Tyrrell, Registration No. 38,350

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TRANSMITTAL LETTER
(General - Patent Pending)Docket No.
DEX-0087In Re Application Of: **Recipon et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/705,500	November 3, 2000	Canella, Karen A.	32800	1642	6616

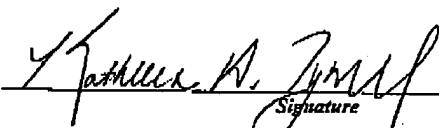
Title: **A Novel Method of Diagnosing, Monitoring, Staging, Imaging and Treating Cancers****RECEIVED**
CENTRAL FAX CENTER**SEP 08 2004****COMMISSIONER FOR PATENTS:**

Transmitted herewith is:

Reply to Advisory Action
Declaration under Rule 1.131
Request for Continued Examination
Petition for Extension of Time

in the above identified application.

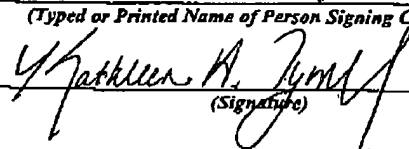
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Kathleen A. Tyrrell, Reg. No. 38,350Dated: **September 8, 2004****Licata & Tyrrell P.C.**
66 East Main Street
Marlton, New Jersey 08053
Tel : 856-810-1515
Fax: 856-810-1454I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] o.
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Typed or Printed Name of Person Mailing Correspondence

cc:

P15A/REV03

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No. DEX-0087	
Applicant(s): <u>Recipon et al.</u>				
Application No. 09/705,500	Filing Date November 3, 2000	Examiner Canella, Karen A.		Group Art Unit 1642
Invention: <u>A Novel Method of Diagnosing, Monitoring, Staging, Imaging and Treating Cancers</u>				
RECEIVED CENTRAL FAX CENTER SEP 08 2004				
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on <u>September 8, 2004</u> (Date)				
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